

**IN THE UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

**In re:** ) Case No.: 19-42907-399  
RUKHSANA HOSPITALITY, L.L.C. ) Honorable Barry S. Schermer  
Debtor. ) Chapter 11 Proceeding  
            ) )  
            ) )

**SUPPLEMENTAL ORDER APPROVING BANKRUPTCY CODE SECTION 363 SALE  
OF HOTEL PROPERTY**

On July 17, 2019, this Court entered its *Order Approving Bankruptcy Code Section 363 Sale of Hotel Property* (“Sale Order”) (Dkt. #46). This *Supplemental Order Approving Bankruptcy Code Section 363 Sale of Hotel Property* (“Supplemental Order”) is to be read in conjunction with the Sale Order and all provisions of the Sale Order remain in full force and effect.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

1. Forsyth Associates, LLC, or its successors and assigns, shall remit Four Million Dollars (\$4,000,000.00) to Hillsboro Title Company for purchase of the hotel property pursuant to the terms of the Sale Order.
2. Hillsboro Title Company shall pay Live Oak Banking Company Four Million Dollars (\$4,000,000.00) for a consensual release of its liens on the hotel property including:
  - a. Deed of Trust executed by Rukhsana Hospitality, LLC to St. Louis title LLC as Trustee for Live Oak Banking Company dated June 30, 2016 and recorded July 1, 2016 at Book 220084, Page 4786 in the amount of \$5,000,000.00;

- b. Assignment of Leases and Rents executed by Rukhsana Hospitality, LLC to Live Oak Banking Company dated June 30, 2016 and recorded July 1, 2016 at Book 22084, Page 4819;
- c. UCC Financing Statement executed by Rukhsana Hospitality, LLC recorded July 1, 2016 at Book 22084, Page 4830;
- d. Pari Passu Agreement by and between Rukhsana Hospitality, LLC and Live Oak Banking Company dated June 30, 2016 and recorded July 1, 2016 in Book 22084, Page 4839;
- e. Deed of Trust executed by Rukhsana Hospitality, LLC to St. Louis title LLC as Trustee for Live Oak Banking Company dated June 30, 2016 and recorded July 1, 2016 at Book 22084, Page 4786 in the amount of \$1,118,600.00;
- f. Assignment of Leases and Rents executed by Rukhsana Hospitality, LLC dated June 30, 2016 and recorded July 5, 2016 at Book 22086, Page 3402;
- g. UCC Financing Statement executed by Rukhsana Hospitality, LLC recorded July 5, 2016 at Book 22086, Page 3413;

3. With the exception of real estate taxes, which shall be paid by purchaser, all remaining liens, including the mechanics lien filed July 21, 2018 in St. Louis County Circuit Court against Rukhsana Hospitality, LLC in the amount of \$17,938.14 by Professional Irrigation Systems LLC, shall not receive any sale proceeds.

4. No later than two (2) business days after the date of entry of this Supplemental Order, Debtor shall serve a copy of this Order, and shall file a Certificate of Service pursuant to Local Rule 9004(D) within 24 hours of service.

DATED: August 2, 2019  
St. Louis, Missouri

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Barry S. Schermer  
United States Bankruptcy Judge

Order Prepared By:

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